Russell Greer 7901 South 3200 West P.O. Box 152 West Jordan, Utah 84088 801-895-3501 russmark@gmail.com Pro Se Litigant FILED 2020 SEP 24 PM 2:45 CLERK U.S. DISTRICT COURT RECEIVED 2020 SEP 16 AM 9:56 CLERK U.S. DISTRICT COURT

## IN THE UNITED STATES DISTRICT COURT DISTRICT FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

RUSSELL G. GREER, Plaintiff	PLAINTIFF'S MOTION FOR ALTERNATIVE SERVICE
v.  JOSHUA MOON, publisher of the website Kiwi Farms, and KIWI FARMS, a website	Case No.:
Defendants	Judge

Pursuant to *Utah Rules of Civil Procedure 4(d)(5)*, Plaintiff Russell Greer asks:

While preparing to file this Complaint, Greer has been unable to locate a physical address to

serve Defendant at.

2. Defendant did give Plaintiff a mailbox address to serve the Complaint at. However, that

would not satisfy the service by mail requirements under the *Utah Rules of Civil Procedure* 

because Defendant would not be there physically to personally sign for the mail.

On the website that Defendant Moon runs, he has designated an email address to receive

what he calls "frivolous legal issues" at for them to end up "in the dumpster". The email address

is: legal@kiwifarms.net EXHIBIT A.

4. Greer requests to serve Defendant via electronic mail.

ALTERNATIVE SERVICE

5. Alternative service is granted when reasonable diligence has been made to locate Defendant.

Motion for Alternative Service. Utah Courts.

(https://www.utcourts.gov/howto/service/alternate service.html).

6. As explained in the facts, Plaintiff has made efforts to locate the Defendant, in preparation of

the lawsuit.

7. Given that this case is based upon a website, managed by Defendant, that has been infringing

and harassing Greer, and that Defendant has designed an e-mail to accept legal documents, e-

mail service should be allowed. Rio Props. v. Rio Int'l Interlink, 284 F.3d 1007 (9th Cir. 2002)

(found that service by e-mail upon an electronic gambling website was proper).

PRAYER FOR RELIEF

8. Plaintiff asks that alternative service be granted and for service to be made via email to:

legal@kiwifarms.net

DATED: September 5<sup>th</sup>, 2020

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Respectfully submitted,

By:

Russell Greer Pro Se Litigant /rgreer/

## EXHIBIT A



## Defamation

Before you even waste my time with your frivolous legal issues, keep in mind these points.

- We are protected by 47 U.S.C. § 230. This means that the posters on this website own their content, not me, and are legally liable for any defamation they commit. You will not win a legal suit against me and there law to prove it.
- I will never surrender any information on my users unless I am subpoenaed.
- I am an insane person on the Internet with no assets. There is nothing you can take from me.

If you still want your garbage legal letters to end up in the dumpster, send them to legal@kiwifarms.net.

## On the DMCA and fair use

Service DMCA complaints to legal@kiwifarms.net.

Do yourself a favor and read about the requirements for a DMCA request before bothering to try and service one. A primary requirement for a DMCA request is a **legal return address** that we may file counternotices to. This is obligatory, because proceedings cannot continue without a counternotice. If you do not meet the minimum requirements for a legal DMCA notice, it